

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSEPH WILSON,

Plaintiff,

-against-

ORDER

CV 05-4825 (JS)(ARL)

COUNTY OF NASSAU,

Defendants.

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LINDSAY, Magistrate Judge:

By letter dated September 11, 2006, the defendant moves for a order compelling the *pro se* plaintiff to respond to its discovery requests. The plaintiff has not opposed the application. According to the defendant, it served the plaintiff with discovery demands on July 3, 2006. Having not received a response from the plaintiff, defendant sent the plaintiff a letter dated August 31, 2006 enclosing the demands and requesting a response by August 31, 2006. Defendant states that the plaintiff has not responded.

Rules 26 and 34 of the Federal Rule of Civil Procedure provide that written responses to discovery requests shall be served within thirty days after service of the requests. Fed. R. Civ. P. 26(a)(1) and 34(b). Here, the plaintiff's responses were due on August 4, 2006. Thus, the application is granted and the plaintiff is directed to serve responses on the defendant by October 1, 2006. The plaintiff is warned that his failure to comply with this order and to participate in discovery may lead to sanctions, including a recommendation to the district judge that his action be dismissed for failure to prosecute.

Dated: Central Islip, New York
September 20, 2006

SO ORDERED:

/s/
ARLENE ROSARIO LINDSAY
United States Magistrate Judge